

REMARKS

The Examiner has objected Claim 42 due to informalities. More specifically, the Examiner has argued that the “newly amended limitation of ‘storing records of a navigation of the user during the transaction’ is nearly identical to the limitation immediately below it which states ‘storing records relating to the navigation of the user during the transaction’ and which was already in the claim prior to the addition of the new limitation.”

Applicant respectfully disagrees and points out that applicant clearly claims “storing records of a navigation of the user during the transaction” (emphasis added) and “storing records relating to the navigation of the user during the transaction” (emphasis added). As a result, no correction is deemed necessary.

The Examiner has rejected Claims 1, 3-6, 8-16, and 18-42 under 35 U.S.C. 102(b) as being anticipated by “Information Gathering in the World Wide Web: The W3QL Query Language and the W3QS System” by David Konopnicki and Oded Shmueli. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to the independent claims. Specifically, applicant has amended the independent claims to at least substantially include the subject matter of former dependent Claim 43.

With respect to independent claims 1, 16, 31, 33, and 42, the Examiner has relied on Pages 372, 375, and 376 from the above reference to make a prior art showing of applicant’s claimed technique “wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction” (see this or similar, but not necessarily identical language in the independent claims).

In the Office Action mailed 04/11/2008, the Examiner has argued that “on [P]age 372, it is specifically disclosed in the Konopnicki system [that] “[e]very morning, navigate to my favorite newspaper home page, follow the hyperlink labeled ‘Buy,’ fill the

online form with my ID and credit card number and download the Postscript version of the newspaper'...[and that] the system automates the process." The Examiner has further argued that "[i]n this example on [P]age 372, the stored transaction pattern includes how to 1) navigate to the newspaper home page, 2) follow a specific hypertext link designating a 'buy' operation, 3) to fill in ID and credit card data in order to download a particular version of the paper."

Additionally, the Examiner has argued that "pages 374-376 shows where Konopnicki discloses that 'W3QS is capable of 'learning' how to fill out forms, and to do so automatically'" and that "[t]he sections that follow go into detail of how the 'learnform program' operates to understand the data that is to be used to fill in a form, where the data is saved such that the form can then be automatically filled out in the future." Furthermore, the Examiner has argued that "[P]age 376 specifies that 'DOF files save past form-filling activities and not only the fields of the form...[which] allows us to ask W3QS to fill the form the same way it was filled in the past with some changes.'" In addition, the Examiner has argued that "not only is the transaction pattern simply the data that goes in a form as learned from a previous transaction, but the form fills the form in in the same way."

Further still, the Examiner has argued that "Page 392 outlines the 'Dictionary of forms' that are used for data storage of items that get filled into the forms during subsequent visits" and that "Page 396 provides a mechanism by which the system responds to a user if the system encounters an unknown element while filling out a form, and where the 'learnform program' is activated in order to request information from the user which, when supplied by the user, then becomes part of the record." Finally, the Examiner has argued that "Pages 400-401 outline the system with its servers and databases used for gathering user-related data and storing user-related data for subsequent automatic execution, as well as provides results to the user of the automatic execution."

Applicant disagrees and respectfully asserts that the excerpts relied on by the Examiner merely disclose "structure-specifying queries" which "can serve to program

useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting point for the search (the home page[])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376).

However, merely disclosing a query that serves as a program to navigate to a web page, where the query needs a starting point such as a home page, in addition to disclosing that a DOF contains known forms and form-filling activities, as in Konopnicki, fails to disclose a technique “wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction” (emphasis added), as claimed by applicant. More specifically, merely disclosing a query which programs navigation to a web page and which requires a starting point, in addition to disclosing a DOF which stores filled out forms, fails to disclose a technique “wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction” (emphasis added), as claimed by applicant.

Additionally, with respect to independent Claim 41, the Examiner has relied on Pages 372 and 374-376 from the above reference to make a prior art showing of applicant’s claimed “navigation of the user within the e-commerce process.”

Applicant again respectfully asserts that the excerpts relied on by the Examiner merely disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting

point for the search (the home page[()])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376).

However, merely disclosing a query that serves as a program to navigate to a web page, where the query needs a starting point such as a home page, in addition to disclosing that a DOF contains known forms and form-filling activities, as in Konopnicki, fails to disclose “navigation of the user within the e-commerce process” (emphasis added), as claimed by applicant. More specifically, merely disclosing a query which programs navigation to a web page and which requires a starting point, in addition to disclosing a DOF which stores filled out forms, fails to disclose a technique “navigation of the user within the e-commerce process” (emphasis added), as claimed by applicant.

Further, with respect to independent Claim 42, the Examiner has relied on Pages 372, 374-376, 392, 396, and 400-401 from the above reference to make a prior art showing of applicant’s claimed “recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction.”

Applicant disagrees and respectfully asserts that the excerpts relied on by the Examiner merely disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting point for the search (the home page[()])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page

376). Further, the excerpts disclose “[t]o automatically, or semi-automatically, build the Name-Value sets used to fill the forms, we use...DOFs...[and] [a]n optional Name-value set... [which] is defined in the query, and is used to overwrite the Name-value sets returned by the DOF” (Page 392). Further still, the excerpts disclose that a “recovery statement defines a mapping from forms to Name-Value sets” (Page 396).

Further, the excerpts teach that the system overview from the user’s perspective includes information such as “source text of all the user’s queries,” “result files,” “a directory tree containing...files extracted from the network while answering a particular query,” “a sequence of messages generated while executing a query,” and “information specifying which queries need to be periodically updated” (Page 400). Further still, the excerpts teach that that “[a] query that is submitted for execution is first parsed” and “[i]f there are syntax errors, these are reported and execution is not continued,” but that “[o]therwise, the system starts executing the query” and that “[t]his execution is done in background mode” (see Page 401).

However, merely disclosing a query that serves as a program to navigate to a web page, disclosing a DOF that contains known forms and form-filling activities, disclosing a mapping of forms to name-value sets, and further disclosing a system overview that includes query text, result files, files extracted from the network, messages generated while executing a query, and query update information, in addition to disclosing the execution of a query in background mode, as in Konopnicki, fails to disclose “recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction” (emphasis added), as claimed by applicant.

Also, with respect to independent Claim 42, the Examiner has relied on Pages 372, 374-376, and 392-394 from the above reference to make a prior art showing of applicant’s claimed “recording actions taken by the system which enable the user to access data.”

Applicant disagrees and respectfully asserts that the excerpts relied on by the Examiner merely disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting point for the search (the home page[...])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376). Further, the excerpts disclose “[t]o automatically, or semi-automatically, build the Name-Value sets used to fill the forms, we use...DOFs...[and] [a]n optional Name-value set... [which] is defined in the query, and is used to overwrite the Name-value sets returned by the DOF” (Page 392).

However, merely disclosing a query that serves as a program to navigate to a web page, disclosing a DOF that contains known forms and past form-filling activities, and disclosing a mapping of forms to name-value sets, as in Konopnicki, fails to disclose “recording actions taken by the system which enable the user to access data” (emphasis added), as claimed by applicant.

Further still, with respect to Claim 42, the Examiner has relied on Pages 372 and 374-376 from the above reference to make a prior art statement of applicant’s claimed “storing records relating to the navigation of the user during the transaction.”

Applicant again respectfully asserts that the excerpts relied on by the Examiner merely disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting

point for the search (the home page[])]” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376).

However, merely disclosing a query that serves as a program to navigate to a web page, where the query needs a starting point such as a home page, in addition to disclosing that a DOF contains known forms and form-filling activities, as in Konopnicki, fails to disclose “storing records relating to the navigation of the user during the transaction” (emphasis added), as claimed by applicant. More specifically, merely disclosing a query which programs navigation to a web page and which requires a starting point, in addition to disclosing a DOF which stores filled out forms, fails to disclose “storing records relating to the navigation of the user during the transaction” (emphasis added), as claimed by applicant.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the above reference excerpt(s), as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has incorporated the subject matter of former Claim 43 into the independent claims.

With respect to the subject matter of former Claim 43 (now at least substantially incorporated into the independent claims), the Examiner has relied on Page 372 from the

above reference to make a prior art showing of applicant's claimed technique "wherein the transaction pattern further includes information submitted by the user, in each form and in each step of a login and account access process" (see this or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that the excerpt relied on by the Examiner merely discloses "extracting specific information from a site" and "structure-specifying queries [which] can serve to program useful tasks...[such as] [e]very morning, navigat[ing] to my favorite newspaper home page, follow the hypertext link labeled 'Buy,' fill the online form with my ID and credit card number and download the Postscript version of the newspaper" (Page 372).

However, merely disclosing a query that serves as a program to navigate to a web page, where the query needs a starting point such as a home page, in addition to generally disclosing the extraction of information from a site, as in Konopnicki, does not disclose a technique "wherein the transaction pattern further includes information submitted by the user, in each form and in each step of a login and account access process" (emphasis added).

Again, the foregoing anticipation criterion has simply not been met by the above reference excerpt(s), as noted above. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. For example, with respect to Claim 3 et al., the Examiner has relied on Pages 372 and 375-376 from the Konopnicki reference to make a prior art showing of applicant's claimed technique "wherein the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content."

In the Office Action mailed 04/11/2008, the Examiner has argued that “Konopnicki discloses wherein the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content as found on [P]ages 372 and 375-376 where the details of engaging in a transaction where a record is made of the actions taken by the system enabling access of the user to data and actions enabled to retrieve content.” The Examiner has further argued that “Page 372 fully disclose[s] the interactions between system and user in navigating to and accessing a web home page, providing for the selection of hyperlinks including the option to “buy”, user selection of a hyperlink per the provided selections including the option to “buy”, supplying an online form with the requirement of an identification and payment options, supplying an identification and a specific payment form, and further for the download of content upon successful navigation of the previous screens of system-user interaction.” Finally, the Examiner has argued that “Pages 375-376 provide additional examples of recording system-user interactions.”

Applicant again respectfully asserts that the excerpts relied on by the Examiner generally disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting point for the search (the home page[...])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376).

However, merely disclosing a query that serves as a program to navigate to a web page, follow a link, fill an online form, and download a Postscript file, as in Konopnicki, fails to disclose a technique “wherein the transaction pattern further includes a record of

the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content” (emphasis added), as claimed by applicant.

Further, with respect to Claim 15 et al., the Examiner has relied on pages 372, 374-376, 392-394, and 400-401 from the Konopnicki reference to make a prior art showing of applicant’s claimed technique “wherein the execution of the transaction pattern includes recognizing a state of a remote application.”

Applicant respectfully asserts that the excerpts relied upon by the Examiner merely teach that “[a] query that is submitted for execution is first parsed” and “[i]f there are syntax errors, these are reported and execution is not continued,” but that “[o]therwise, the system starts executing the query” (see Page 401). Furthermore, on Page 401, Konopnicki teaches that “[t]his execution is done in background mode” and “[t]he user can engage in any other activity, including just closing the browser, which has no effect on the execution of queries.” However, the excerpts fail to teach or even suggest that “the execution of the transaction pattern includes recognizing a state of a remote application” (emphasis added), as claimed by applicant.

In the Office Action mailed 04/11/08, the Examiner has argued that “Konopnicki discloses wherein the execution of the transaction pattern includes recognizing a state of a remote application in the cited portions where [P]age 372 requires that the system recognize that the execution of the transaction relates to the navigation of a home page with associated links in order to provide ID and credit card information for the purchase of a newspaper.” Additionally, the Examiner has argued that “Pages 374-376 require that the system recognize that the user has entered a weather page and to know that the user wants to know the weather related to a specific city.” Furthermore, the Examiner has argued that “Pages 392-394 describe the ‘dictionary of forms’ that are used and the data stored in order that forms are recognized and data that goes into the corresponding forms at the appropriate times are supplied from the stored data” and that “Pages 400-401 outline the system with its servers and databases used for gathering user-related data and storing user-related data for subsequent automatic execution, as well as provides results

to the user of the automatic execution, where automatic execution occurs by recognizing the state of the application.”

Applicant disagrees and respectfully asserts that the excerpts relied on by the Examiner merely disclose “structure-specifying queries” which “can serve to program useful tasks” such as “navigat[ing] to my favorite newspaper home page, follow[ing] the hypertext link labeled ‘Buy,’ fill[ing] the online form with my ID and credit card number and download[ing] the Postscript version of the newspaper” (Page 372 – emphasis added). Additionally, the excerpts disclose that in “[w]riting a query...[w]e need... a starting point for the search (the home page[])” (Page 372 – emphasis added). Further, the excerpts teach that “a *Dictionary of Forms* (DOF)... is a database of known forms,” where in one example “the form must be filled out as described in the DOF file Report” (Page 375 – emphasis added), and that “DOF files save past form-filling activities” (Page 376). Further, the excerpts disclose “[t]o automatically, or semi-automatically, build the Name-Value sets used to fill the forms, we use...DOFs...[and] [a]n optional Name-value set... [which] is defined in the query, and is used to overwrite the Name-value sets returned by the DOF” (Page 392). Further still, the excerpts disclose that a “recovery statement defines a mapping from forms to Name-Value sets” (Page 396).

Further, the excerpts teach that the system overview from the user’s perspective includes information such as “source text of all the user’s queries,” “result files,” “a directory tree containing...files extracted from the network while answering a particular query,” “a sequence of messages generated while executing a query,” and “information specifying which queries need to be periodically updated” (Page 400).

However, merely disclosing a system overview that includes query text, result files, files extracted from the network, messages generated while executing a query, and query update information, in addition to disclosing the execution of a query in background mode, as in Konopnicki, fails to disclose a technique “wherein the execution of the transaction pattern includes recognizing a state of a remote application” (emphasis added), as claimed by applicant.

With respect to Claim 44, the Examiner has relied upon Pages 372, 374-376, 392-394, and 401-402 to make a prior art showing of applicant's claimed technique "wherein the transaction pattern further includes an internal process, whereby submitted information is sent to servers and databases of a portfolio account site of the user."

Applicant respectfully asserts that the excerpts relied on by the Examiner merely disclose that "the system starts executing the query... in background mode" and that "W3QS enables the collection of the results of the different queries into a single table" (Page 401). Additionally, the excerpts teach that "[o]ne may access W3QS through a WWW browser," that "[t]he W3QS Server manages the interactions with the different users" and that a "Scheduler manages the list of active queries currently in the system" (Page 402).

However, merely disclosing that W3QS collects query results in a table and that W3QS is accessible through a WWW browser, in addition to disclosing managing the interactions with different users and a list of active queries currently in the system, as in Konopnicki, fails to teach or suggest applicant's claimed technique "wherein the transaction pattern further includes an internal process, whereby submitted information is sent to servers and databases of a portfolio account site of the user" (emphasis added), as claimed by applicant.

Again, since this criterion has simply not been met by the above reference excerpt(s), as noted above, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NVIDP371).

Respectfully submitted,
Zilka-Kotab, PC

/KEVINZILKA/

Kevin J. Zilka
Registration No. 41,429

P.O. Box 721120
San Jose, CA 95172-1120
408-505-5100